REMARKS

The Applicants provide the foregoing amendment and remarks in response to the office action dated August 3, 1999. Claims 1–3 and 8–10 have been amended. Claims 1–10 are pending.

Initially, Applicants wish to point out to the Examiner that the amendment to Claim 3 was merely to correct a typographical error, and the amendment does not affect the claim's scope or substance.

The Examiner rejected Claims 1,2, and 8–10 under 35 U.S.C. 103(a) as being unpatentable over Dworkin Pat. No. 4,992,940, (hereinafter Dworkin) in view of "Sales–force automation comes of age (hereinafter SFA). The Examiner has rejected Claims 3–7 under 35 U.S.C. 103(a) as being unpatentable over Dworkin and SFA as applied to claim 1 and further in view of Lynch et al., Pat. No. 5,708,798. Applicants respectfully traverse these rejections. Applicants have amended Claims 1, 2, and 8–10 in light of the Examiner's concerns. These amendments do not limit the scope of the claims but further clarify them and their patentability.

Claim 1 as amended recites several steps. These included storing the product inventory information and storing configuration information, as well as obtaining information regarding customer needs. Two final steps are also recited. The first is "interactively selecting product options to define a configured product which satisfies the customer's needs using the stored configuration information to constrain selection of the product options." The last step, as amended, is "identifying from the inventory of the selling entity, using the stored inventory information, one or more available or buildable products which exactly or most closely correspond to the configured product." The last two steps involve a configured product which satisfies the customer's needs but is constrained by the configuration information. The final step doesn't merely identify that such products are on hand, it identifies whether such products are on

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hand, whether they are buildable at all, whether some of the products on hand or buildable are exactly what the customer wants, or whether some are only a close match.

With respect to Claim 1, the Examiner states that Dworkin explicitly discloses the step of identifying from the inventory of the selling entity, using the stored inventory information, one or more products which most closely correspond to the configured product. Furthermore, the Examiner states that Dworkin does not explicitly disclose storing configuration information and interactively selecting product options to define a configured product. Applicants maintain that it is impossible for Dworkin to describe identifying a product that corresponds to the configured product when Dworkin never describes defining a configured product. It would be impossible to know whether there was correspondence since Dworkin does not describe defining the configuration the product must correspond to. In addition, Dworkin does not describe identifying products that are buildable rather than available, as Dworkin describes no such distinction. Also, Dworkin does not describe identifying products that either exactly or most closely but not exactly correspond, as Dworkin only describes identifying products that match the entered specification exactly.

Furthermore, the Examiner states that SFA discloses an automated system that stores configuration information and presents product options to a user of the system to define a configured product which satisfies the customer's needs. However, the Examiner has not stated that SFA describes identifying products that are either available or buildable. Nor has the Examiner stated that SFA describes identifying products that either exactly or most closely but not exactly correspond to the configured product. Applicants assert that SFA does not disclose either of these limitations recited in Claim 1. Instead, SFA describes a system that always assumes that the configured product as the customer has requested is available or buildable, rather than finding what inventory is in fact available or buildable. Additionally, because of this assumption, SFA never contemplates the need to provide identification of inventory that "exactly

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or most closely corresponds to the configured product" because the configured product is always provided exactly as the customer requests in SFA. This assumption is apparent from page 3, lines 7–11. The SFA configurator gives the ability to assembly uniquely tailored products to meet the specific requirements of the customer. No limitation on the available or buildable inventory is contemplated.

Therefore, Claim 1 is patentable over Dworkin in view of SFA.

Similarly, Claim 2, depending from Claim 1, recites that the method involves identifying available and buildable products that correspond either exactly or closely with the configured product. Dworkin does not describe making any distinctions between what is available, what is buildable, and what is neither. Also, Dworkin does not describe making any distinctions between what corresponds exactly and what corresponds only closely. Thus, Claim 2 is patentable over Dworkin in view of SFA.

Claims 3–7 depend from an allowable Claim 1 and recite additional limitations that further distinguish the claimed invention from the prior art. As such, Claims 3–7 are also allowable.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the pending rejection of Claims 1–7.

Claim 8 recites a method involving interactively selecting product options to define sellable products which satisfy customer's needs. The product options that may be selected for the sellable products are constrained to product options available in the available or buildable inventory of the selling entity. Thus, options can be selected if products that are already available or can be built can accommodate the options.

The Examiner states that SFA discloses interactively selecting product options to define a sellable product which satisfies the customer's needs using the stored configuration rules and the stored product inventory information to constrain selection of the product options to

product options available in the inventory of the selling entity. As similarly argued with respect to Claim 1, SFA does not described identifying product options that are available in the available or buildable inventory. SFA does not contemplate product options not being available. Again, this is apparent from page 3, lines 7–11 where the configurator permits assembly of uniquely tailored products. Thus, SFA does not describe a method that makes distinctions between what options are available in the available inventory, available in the buildable inventory, or not available in any inventory at all. As mentioned, Dworkin does not provide a method capable of making such distinctions either.

Therefore, Claim 8 is patentable over Dworkin in view of SFA. Accordingly, Applicants respectfully request reconsideration and withdrawal of the pending rejection.

Claim 9 recites a method that includes the step of providing an indication of whether a selected product option will preclude obtaining a product from the available or buildable inventory or both. This step is important because it allows the user to very easily determine what options will be available for a product that is available now or that can be built, and what options will completely prevent the product from being sellable to the customer by making it unavailable and unbuildable. This method will aid the user in easily finding the exact matches and the most closely corresponding matches.

The Examiner states that Dworkin describes providing an indication to the user of the computer system whether a selected option would preclude obtaining the product from the inventory. However, Dworkin makes no distinction between whether the selected option will preclude obtaining a product from available inventory or buildable inventory or both. Dworkin did not contemplate a method that can handle the situation where the customer can wait until the product can be built. Instead, Dworkin describes an all or nothing determination, either the customer can get the product now or not. The possibility of customers acquiring products that can be built but have not yet been built is not considered by Dworkin.

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Therefore, regardless of whether SFA does describe the steps the Examiner is asserting, Claim 9 is patentable over Dworkin in view of SFA. Accordingly, Applicants respectfully request reconsideration and withdrawal of the pending rejection.

Claim 10 recites a method that provides the steps of assigning a value to each of the customer's uses depending upon the importance of the use to the customer and identifying products in the available or buildable inventory that exactly or most closely satisfy the intended use. This claim, similar to the others, relies on the uses of the product rather than options to determine which product to provide. Just as product options defined a configured product which was used to find a suitable product in the inventory, Claim 10 provides uses and importance values in addition to stored product information to find the suitable product. The method also identifies whether a suitable product is available in the inventory, whether it is buildable, or not available at all. Also, the method identifies whether available or buildable products will be an exact match for the specified use, a close match, or no matches at all.

The Examiner states that it would have been obvious for one skilled in the art gather minimum specifications by asking questions about uses. Furthermore, the Examiner states that it would have been obvious for one skilled in the art to assign a value to each factor or feature to determine the most important requirements. However, neither Dworkin nor SFA describe identifying products that are either buildable or available in inventory. As previously discussed, Dworkin makes no distinction between what is available now and what can be built. Furthermore, SFA always assumes the uniquely tailored product can be built and makes no distinction between what is available or buildable and what is not available or buildable at all. Also, neither Dworkin nor SFA describe identifying a product that exactly or most closely satisfies the intended use specified by the customer. Dworkin describes either providing an exact match or nothing. SFA assumes that an exact match is always possible. Furthermore, it would not have been obvious to provide a method that identifies 1.) an available or 2.) buildable product

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based upon 3.) the inventory information, 4.) the use information, and 5.) the importance of the use, which 6.) exactly or 7.) closely matches the intended use. Such a complex combination of input factors and potential results is not obvious to one of ordinary skill in the art.

Therefore, Claim 10 is patentable over <u>Dworkin</u> in view of SFA. Accordingly, Applicants respectfully request reconsideration and withdrawal of the pending rejection.

CONCLUSION

For these reasons, the Applicants respectfully request the Examiner to advance the present application to allowance. Additionally, the Applicant notes that there may be additional arguments and/or amendments in support of patentability. The Applicant reserves the right to raise such arguments or make such amendments in the future.

Please contact the undersigned attorney if there are any questions.
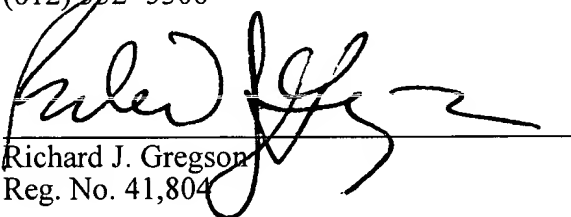
Respectfully submitted,

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